App. F. IX-4

Previous References.

1942-3 War)

W File No. 261-42.
Serial Nos. 1 to 12

Later References.
W 14-43-1 to 4.
Hc 14-40-3-4.

P-35)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Twelve only

Part B for August '43.

SUBJECT

Essential Services (Maintenance) Emergency Act, 1942.

M. Krishnan
28-8-43.

G. R. S. III—3]
R. A. & L. C. W. 261-42

86/11

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

1. Secretary
Revenue.
No 79-42/11
Dt 7-2-42.

Forwarded
Copy of Govt of India circular
re Essential
Services
(Maintenance)
Act.

4517

MKVS

xxx

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

Secretary
Revenue.

2) The Essential Services (Maintenance) Emergency Act, 1942 has been issued in No. R.L. 1665 Regn 48 (41-1) dated 4-3-1942 as Act No. XVI of 1942, and has been published in the Fort St. George Gazette (part IV) dated 5-3-42.

3) As directed in the above note, this file may be sent to the administration Section (Revenue) for further action in the Act.

24
6-3-42
Dep. Sec.

Secretary
6-3-42

Dy Secretary for Secretary

Dear Sir

DG

Essential Services (Maintenance) (Emergency) Act 1941 — 4517

4517

Serial No.

4) Sucs for Perusal and orders.

5) It would be Labr Commr will be consulted in this matter in the first instance

6) Yes

7/3.

7) The Comr of Labour will be consulted in confidentially, to make a list (provl) of employments to which the Act may be applied.

~~to offer suggestions~~

Min. Law)

8) This was Consulting the Comr of Labour about this Act. 15/3/42

9) It is in the interests of the Public Services and of employment on war works, & for maintaining Supplies

10) Please see Notfn & Govt of India draft circulated here. ~~The Govt~~ Govt Servants automatically come under this Act

11) The Chief Secrt (War) should deal with this ~~subject~~ subject but the D Le Dept or Labour Dept

12) Please send this to Chief Secy's Conference with a copy of the list to which the compulsory arbitration rules apply. They will also have to be

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

MAR 23 1942
No. 9633

4577

File No. 261 of 1942-3

General and Revenue Secretariat.

Serial No.

under this Act
subject as when necessary

22/3/42

13) W 23/3

Sec'y
w/comp

W.

23/3/42

24/3/42

14)

CHIEF
24 MAR 19
INVT. OF MYSORE.

25/3

To the Chief Secretary — Vide Ministers orders
Para 11) supra.
(The file regarding the list of industrial
Concerns referred to in Para 12) has been
separately noted. A copy of the list will be
furnished soon after the receipt of the file.)

Received
27/3/42

4753
AS. 25/3

27/3.

24

G. R. S. III—3]
R. A. & L. C.

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

2 Letter of 27-3-42 from S.R. Mills Esq. offering his services in the Act of the Mills.

Filing T

Sgd. 15) The minister for law has minuted in the linked file that the matter referred to in the P.V.D has to be dealt with in the Chief Secty (war).

If approved, these papers may be sent to the War Section for further action

Sgd. 6.4.42

Secy (R.A.-L.)

War Section

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

1493/W. (457)

General and Revenue Secretariat | W File No. 261 of 1942-3. | [App. F. III-2

Serial No. 16) Only the Essential Services (Emergency) Act has been promulgated and so far no notification has issued applying the Act to factories or other employment. The K.R. Mills want the Act to be made applicable to their Mills. Since no War Section has yet been constituted and since such notification requires legal scrutiny this may be dealt with in the Legislation (War) for the present. Submitted for perusal & Orders whether the request of the KR Mills may be acceded to.

(RS 6/4)

Further Kind reference is circulated to the Law Minister's minute of 22nd March 42 asking the Dev. Branch to send a copy of the list of concerns to which compulsory arbitration rules apply. This has not been received so far in this Section.

17) Please call for remarks & also from the Madras Govt.

++ 6/4/43

18) The Dev. Br for putting up the list referred to in the Law Minister's minute.

9/4 Br)

(RS 6/4)

19) Two Rec file re: list of industrial

for KVS

NOTE—Cont. Sheet. By no. 4753

WD 24155—GPD—55,000—23-10-41

1493/W. Essential Services (Maintenance) (Emergency) Act 4517 4753 of 1942-3.

W File No. 261

General and Revenue Secretariat

Serial No.

Concerns engaged in War production is sent herewith for reference and return. Liaison

To the C. B (War Secretary)

Reg 7/4

20) With reference to Home Minister's minute of 22nd March-42 kind attention is invited to the list of concerns to which the Compulsory arbitration rules apply prepared by the Def. Branch. The Minister has observed that those concerns have to be notified under the Essential Services (Maintenance) (Emergency) Act as and when necessary. The K.R. Mills Mysore is included in the list. Section 3 of the Emergency Act vests in Govt the employment to which the Act applies and Govt may by notification in the Gazette, declare to be an employment to which the Act applies. Govt desire to know whether the employment in all the factories mentioned in the list have to be notified as such at present or the important factories to which it may be applied now.

Reg X Liaison file

Some of the Mills got Notifications and also placed under for period?

In this connection, kind reference is invited to Defence Co-ordination Dept letter cdp Paras 4 + 5. T

RS 9/4

1493/W Essential Services ordinance 5

General and Revenue Secretariat | W File No. 261 of 1942-3 | [App. F. III-2

Serial No.

OFFICE OF THE CHIEF SECRETARY
APR MAR 10 1942
No. 10269

X

21) The Emergency Act was ratified in Madras & so far there has been only one abstention from the Revenue Minister for ratifying this Bill. A list of ~~Ordinances~~ Essential Services ordinances is forwarded.

22) The employments in respect of which the Ordinance Law has been made applicable in Madras & Bombay so far as was ascertainable are shown in the Statement (A). On the analogy of these, the following may perhaps be notified in Mysore:-

1 PW Boards
2 Municipalities } water supply & sanitary services
3 Air Installations

23) As regards other services we may perhaps wait. As regards Railway Separate action is being taken in Rly Secrett Branch

Sd/-

24) I think the time has come when we should have to notify the Services as per list previously prepared, as coming under the Essential (Maintenance) Ordinance, as also B 3

CHIEF SECRETARY 9. APR. 1942 GOVT. OF MYSORE

NOTE—Cont. Sheet.

WD 12455—G1'B—55,000—23-10-41

Also letters above
Law Secretary

10/4

1493/W

10469
LM

W File No. 261 of 1942-3. General and Revenue Secretariat

Serial No.

25) It is enough if the attention of the Chairman S-K-mills is drawn to the Compulsory Arbitration Rules under D of I. Act, which prohibits lightning strikes & he is told that the Dt magistrate has been addressed in respect of it and informed that S-K mills is a concern coming under those rules and the Chairman may get into touch with the Dt magistrate thereof. (Linked file)

26) The file may then be resubd for further orders about the application of the Emergency Act. It cannot be applied to S-K-mills indiscriminately at such an early stage.

11/4

27) Subd with a draft reply to the Secy SK Mills. The file will be resubd after the issue of the letter

11/4

28) 11/4

Issued 2406/W dt 11th April 42 to the Secy 3 SK Mills
2407 " " to the D M Mysore.

OFFICE OF THE MINISTER FOR LAW
APR 11 1942
10649

29) Resubd for orders.

11/4

Law Minister

1647/W. Maintenance of essential services. 6

General and Revenue Secretariat | W File No. 261 of 1942-3. [App. F. III—2

Serial No. 4.

Letter No 2>5(12)-40W dt 18/4/42 from the Resy Commissioner forwarding copy of circular letter of Govt of India regd essential services & their maintenance.

30) The Govt. of India circular deals with action to be taken for the maintenance of essential services by organising food supply & accommodation, communications etc in case of emergency. The D.C.P and the D. of Bangalore may perhaps be consulted and asked to consult Bank & trade interests also, if considered necessary. Send for orders. Some Secretariat is also necessary at Bangalore.

21/4. Chief Secretary seems that

Mysore Secretariat

21/C/C

31) The Govt. authorities have issued an order

CHIEF SECRETARY * 21. APR. 1942 * OF MYSORE.

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Essential Services Maintenance -

1647

U File No. 261 of 1942-3. General and Revenue Secretariat.

Serial No.

OFFICE OF THE MINISTER FOR LAW
APR 22 1942
No. 1647.

11007

directing the attention of the Imperial Bank of Mysore to the above. I think a similar one is necessary for the Cy. the Canara Bank, the Vijaya Bank & the Mysore Bank with regard to the above rule

Law Secy 21/4

2) Copy of Govt letter of 18/4 & enclosures may be sent to DGP & Dt Magistrate B'lore for info & necessary action as in regard to the 3 points suggested in Mr Taylor's letter note.

3) Govt order will be issued if & when necessary as regards Branch Managers, Secretaries, Canara Bank, Vijaya Bank & Mysore Bank. Essential services recommended by DGP.

The Act applies to Govt Servants automatically 23/4

27/4

4) Subd with memo to the IGP & DM Blore 30/4

30/4

Issued memo 2762-3 dt 30th April 42 to the IGP DM Blore

5

~~Is it in force Circular~~

6) Please advise the action taken in matter.

Essential Services (Maintenance) Emergency Act

Serial No.

Bihar & Bengal under Secs 4 & 6 of the Act-
to take what actions necessary here.

Rs
18-5-42

A 37) Kind reference is invited to the Defence Co-ordination Dept letter of 21st Jan. 42 asking certain observations on the application of this Ordinance. (Secs 3, 4 & 6) vide Paras 4, 5 & 6.

E Sec. 4. The power has been delegated to the Commr of Police and it is seen that the Commr of Police Madras has issued a notification in the matter. In the case of the C of M Sts the power has been delegated to the Collr of M Sts

B

D A Statement showing a list of the employments to which Ordinance applies in Madras, Bombay & C of M Sts is placed below.

Re. Sec. 4. perhaps a notification may issue specifying the essential services and delegating the power to somebody was subsection 1 of Section 4 as has been done elsewhere.

38) Sec. 6. The Govt of India letter states that the making of rules would not appear to be a matter of immediate necessity and the Govt of India incline to think that the best course would be for them to make rules and that they with advice of the Provincial Govt making rules as have proving a final settlement of the question

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

1647/W.

Essential Services (Maintenance) Emergency Act

W File No. 261 of 1942-3

General and Revenue Secretariat.

Serial No.

Perhaps the I.S.P.Mg. be consulted as to the employments to which the Act may at present be applied and re. the delegation of powers. The Gazette of the Province will also be looked into re. the action taken by them in the matter.

Recd. notification of the C.F.Mdm. Flag M.

C.S.O. M.H.St. Dept. JUN 22 1942 No. I. 2824

RS 18/5/42

2) I have gone through all the available Gazettes of Madras Province, Bangalore & Civil & Military Gazette but have not found any notification under Sec. 6.

3) The only Notifications which however have come across are those (1) declaring from time to time certain classes of employment to be employment to which the Ordinance applies & (2) notifying certain officers authorised to make orders directing that any person or persons employed in any such employment shall not depart out of such areas or areas, as may be specified in such orders without their permission.

Chief Secretary 18/6/42

CHIEF SECRETARY 18 JUN 1942 GOVT OF MYSORE.

Hd Mm

Law Minister
Please see above on 19/6/42

Hd Mm 20/6/42

1647/IV

238/W. Essential Services Act

General and Revenue Secretariat

W File No. 261 of 1942-3. [App. F. III—2

Serial No.

OFFICE OF THE MINISTER FOR LAW
JUL 10 1942
No. 326

43) Land
2
7/7/42
Land Minister)

44) The B'lore Transport Co^y Ltd has been notified as an essential Service in the C Mn Station. It ought also to be notified in the City also.

45) The Dt Magte B'lore ought to be nominated as the Appr authorised to issue orders under Sec^n 4 of the Act.

46) The ~~Supdt of Labour~~ Excise Comr & ex officio Chief Conciliator ~~shall be~~ may be notified as the authority empowered under sec^n 6 (1) to make rules regulating the wages & other conditions of service of the employees in the said employment—

Devan)

11/7

47) Mill
12/7/42

13/7

SECRETARY
17 JUL 1942
GOVT OF MYSORE

48) Subd with a draft notification. Sec 6 (1) refers to empowering a specified authority to regulate wages in any class of employment.

17/7

(RS 16/7)

Mangalam

49) For approval before issue

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—28-10-41

6. Issued No. 343/W dt 22.7.42 to the Compiler
" Memo No. 344-7/W
Concerned officers.

51) 24/7

Law Secy 50) 27/7

7/7

1647
149/W

General and Revenue Secretariat

Essential Services Act
Camps for Essential Services at
C.D. Dept circular

9

W File No. 261 of 1942-3 [App. F. III-2

Serial No. 8

C... MINISTER... LAW
SEP 9 1942
No. 2240

From The Secy to Govt Home & Revenue
F. 78(12 A)-42/W & 5th Sept 42 forwg a
Camps & CD Dept letter to the Govt of the
Punjab re: Camps for Essential Services.
Allocation & Expenditure

5?) The previous Circular with Mr
Jams Taylors note was sent to the 7 S & I
& C B Com. as ordered by the Law Minister.
The present Circular deals with the allocation
& expenditure. Subd for perusal. Copies of this
circular also will be sent to the 7 S & I & C B Com

(QS 8/9)

53) Seen
8/9

Secy SD

54) Seen
8/9

Law Sr

55) Seen
9/9

56) Subd with memo to the 7 S & I & C B Com
11/9

(QS 11/9)

57) Seen
11/9

9. Essen (5711-2/W & 11th Sept/A.42 to the 7 S & I & C B Com

CHIEF ... 8 SEP 19... GOVT OF MYSORE.

NOTE—Cont. Sheet.

WD 24155—GPB—55,000—23-10-41

10. From The D. M. Mysore

Ct 237 of 4243 of 1st Jan. 43 forwg C/P of Supdt of Post Offices letter and his reply in the matter.

58) Kind reference is invited to the Essential Services Emergency Act. The Act applies automatically to all employment under Govt as in Br India the Gazette applies to all employments under the Crown. Presumably employment in the Postal Dept comes under employment under the Crown as there is no information available on the point in this Office.

59) The Govt have Notified (so far) that the Act applies to all employment in the Bangalore Transport Co, as has been done Ct Mysore. No other employment has been notified as such except the above. Asked for orders.

(Q5 A1) It is not clear as to what exactly the Supdt wants the D M to do. Whether employment in the Postal Dept in the Mysore State has to be notified is a point for orders. The terms are very misleading in every order which prescribes the respective rules. Are NRO's special Registration Servants necessary?

60) As that the Govt would like to know as to what rules the cases mentioned in this letter are to be governed. Apparently may be the same that in the case of Municipal Towns.

2033
W.

Continuation Sheet. W File No. Current No. 261 of 42-3 Page.

OFFICE OF THE MINISTER FOR LAW
JAN 7 1943
No 5947

CHIEF 2959 5 JAN 43

the areas comprising the Municipality is meant & in the case of Villages the Village as defined by the Revenue Laws. The Notification under Rule 3 would be the area covered by the Rules & Notifications

Law Dept 61) 6/1

62) Please bring up in person.
7/1

63) Subbd in person. The Municipal limits may be fixed for all towns & other Local municipality. As regards Cottonseed & K. K. Oils, the towns are municipal towns. Please follow up file.

64) Subbd with a draft letter to Govt & C Mysore 27/1

65)

66) Draft letter as above.
Law Minister 29/1

67) Issue

Issue 3342/W d 30 Feb 43 to Govt & C Mysore 3/2/43

OFFICE OF THE MINISTER FOR FINANCE & REVENUE
22 JAN 1943
No 5964

CHIEF 3388 21 JAN 1943 GOVT. OF MYSORE

WD 1140—GPB—50,000—5-11-42

2033
2423

Maintenance of Essential Services. 11

Continuation Sheet. W File No. / Current No. 261 of 42-3. Page.

12. From The D M Mysore

CD VI - 308/42-43 d 10th Feb. 43 forwards a copy of refs sent to the Supdt R.MS with a copy of the Collrs letter. for information & action.

68) Kind refce is invited to this office refs to the D M Mysore on his previous refce. Submit for perusal.

69) [illegible]

RS 12/2 SC

SECRET. W261-42-1. 861/42 11616/W. 12

The reply to this communication should be addressed to the Secretary to the Resident in Mysore Bangalore, by designation and not by name.

No. F.2-42/W.

FROM—
THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To 6980
The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Dated Bangalore, the 7 4 February *1942*.

FEB 9 1942
PL. 7875

The Essential Services (Maintenance) Ordinance, 1941.

SIR,

In continuation of my letter No.F.2-42/W dated the 3rd January 1942, I am directed to forward for the information of the Government of Mysore a copy of a letter from the Government of India, Defence Co-ordination Department, to all Provincial Governments, etc. No.1202-SM/42 dated the 20th January 1942.

I have the honour to be,
Sir,
Your most obedient servant,

Subba for Secretary
Law Secretary
Dewan

V.N. Rama Rao
for SECRETARY TO THE RESIDENT.

This was circulated also on 30/1/42
Asstt Labour Officer
9/2

10/2/42

Copy of a letter from the Government of India, Defence Co-ordination Department, to all Provincial Governments, etc. No.1202-SM/42, dated the 20th January 1942.

----:0:----

I am directed to refer to the Essential Services (Maintenance) Ordinance, 1941.

2. The Ordinance confers various powers concurrently on the Central and Provincial Governments, and I am to explain the views of the Government of India regarding the exercise of these powers.

3. The most important power is that conferred by section 3 to notify any employment for the purposes of the Ordinance. The Ordinance provides for emergency conditions, and it is accordingly considered that this power should ordinarily, if not always, be exercised by the Provincial Government, which alone will be in a position to form an opinion of the requirements of the local situation. The Government of India in the Labour Department will supply the Provincial Government with a list of factories in which the Government of India is particularly interested, and the Government of India have no doubt that the Provincial Government would give particular attention to the situation in those factories.

4. The Government of India would however offer certain observations on the application of this Ordinance. It has of course never been contemplated that the provision of a penalty would be an adequate, or even essentially a desirable, device for securing that workers shall remain at their jobs. If a panic actually developed, the fear of a penalty could not be expected to be more than a very partially effective check; while there is always the risk that application of the Ordinance at a previous stage may increase alarm or unrest instead of having a steadying effect. In attempting to achieve the object of keeping workers at their posts, the Government of India would always attach the greatest importance to such means as the provision of adequate air raid shelters and propaganda, which must in their view be recognised as by far the most powerful means available. The Ordinance is in no way intended to be a substitute for these; its function is conceived as supplementary in that a notification issued at the right time might have a steadying effect and prevent the development of actual panic. Further, it was hoped that the placing of this legislation on the Statute Book might produce some beneficial moral effect by indicating the Government had considered it necessary to arm itself

itself with these special powers.

5. The Government of India suggest therefore that the Ordinance should not be applied in respect of any factories or public utility companies unless the Provincial Government, having exhausted the possibilities of persuasion and reassurance, are satisfied that there is no other step which they can effectually take. If the Provincial Government are so satisfied, and think that a notification might have a good effect the Government of India leave them a free hand to act as they think fit. If the development of a situation permits, however, the Government of India, would like to be consulted before action is taken; and in any case they would ask to be informed immediately of any action that is taken, particularly because, in present conditions, action in one Province may soon have repercussions in others, whom it may be desirable to warn. Before forming its donclusions, the Provincial Government will no doubt, wherever desirable, consult employers.

6. The other important power conferred by the Ordinance is that of making rules under section 6. In view of the provisions of section 5, Government must clearly accept liability for regulating the conditions of service of persons subjected to the Ordinance. The making of rules would not, however, appear to be a matter of immediate necessity, and the Government of India incline to think that the best course would be for them to make rules. They will address the Provincial Government making rules ad hoc pending a final settlement of question.

7. It will no doubt have been observed that the Ordinance applies proprio vigore to persons employed under the Crown who are therefore at this moment legally liable to the penalties which the Ordinance provides. It must be recognised, however, that any premature stress laid on this fact might have results the opposite of what is desired. The Government of India accordingly suggest that, as a general rule, nothing should be done to publicise the effect of the Ordinance in Government establishments in any area till the Provincial Government issues a notification under section 3 in respect of private employments in that area. Further, whether it is a question of bringing

the

14

the effect of section 3 to the notice of Crown employees, or of bringing the effect of a notification under section 3 to the notice of private employees, they suggest that there would be considerable advantage in making the facts known by word of mouth, through employers or leaders of the workmen, rather than by means simply of a written notice. This would afford a last opportunity for employing the methods of persuasion and reassurance to the full exploiting of which the Government of India attach so much importance.

VN

THE INDIAN EXPRESS, FRIDAY, MARCH 13, 1942.

ESSENTIAL EMPLOYMENTS TO MAINTAIN SUPPLIES

Govt. To Issue List

MADRAS, Mar. 11.

The Government have directed that the class of employments specified in the schedule below is essential for maintaining supplies and services necessary to the life of the community.

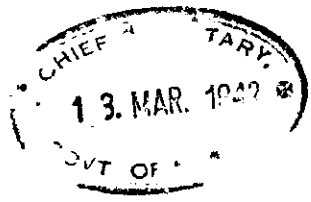
District boards, municipalities and Corporation of Madras in respect of water-supply and sanitary services.

Madras Telephone Company, Limited.

Oil Installations of Messrs. Burma Shell Oil Storage and Distributing Company of India, Limited, Caltex (India), Limited, and Standard Vacuum Oil Company.

Public motor transport companies and bus unions, and

Imperial Bank of India, Limited, and Reserve Bank of India.



Submitted for kind perusal
Chief Secretary
13/3/42

Law Secretary
13/3

THE HINDU

SATURDAY, MARCH 14, 1942.

ESSENTIAL SERVICES ORDINANCE

APPLIED TO LABOUR ENGAGED IN WAR CONTRACTS

MADRAS, March 12.

A Gazette Extraordinary issued by the Government of Madras, states:

In exercise of the powers conferred by Section 3 of the Essential Services (Maintenance) Ordinance, 1941 (Ordinance No, XI of 1941), His Excellency the Governor of Madras, being of opinion that the class of employment hereinafter specified is essential for securing the defence of British India or the efficient prosecution of war, is hereby pleased to declare the labour employed by contractors executing works for the Government to be employment to which the said Ordinance applies.

Not to Leave City Without Permission

MADRAS, Apr. 6.

Mr L. B. Gasson, Commissioner of Police, has issued a notification under Section 4 of the Essential Services (Maintenance) Ordinance, 1941, directing that persons employed in the services mentioned below shall not leave the limits of the city of Madras except with the written permission of the Commissioner of Police:

The Corporation water supply and sanitary service; the Madras Telephone Company ltd.; Messrs Burmah Shell Oil Storage and Distributing Company of India ltd.; Caltex (India) ltd.; Standard Vacuum Oil Compan; the Imperial Bank of India ltd.; the Reserve Bank of India; the City Motor Service ltd.; the Triplicane Bus Amalgamation Transport ltd.; the Aminjikarai Bus ltd.; the Hindustan Transport ltd.; the Presidency Transport ltd.; the Public Passenger Service ltd.; and the General Public Service ltd.

Submitted for perusal
(Chief Secty) CR
14/3/42

CHIEF SY. E
14.
GO T C.

Law Secy
14/3

Law Secy
14/3
Please note there

please preserve this
16/3/42

999RL W261-42-2 17

Telegrams "SRIKMILS," MYSORE
Telephone MYSORE 266.
Codes: "A,B C 5TH & 6TH EDITIONS" "BENTLEYS" & "PRIVATE"

SRI KRISHNARAJENDRA MILLS, LTD
REGISTERED IN MYSORE.

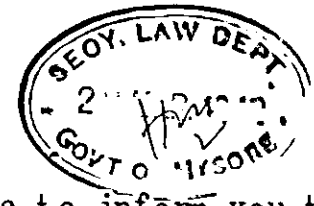
HW2.V

In reply refer to _____ BANGALORE ROAD.

MYSORE 27th March 1942.

XXY

The Secretary to Government,
Law Department,
Bangalore.



Dear Sir,

We write to inform you that we have taken war order contract work from the Supply Department for the supply of 3,50,000 yards of Mock-leno cloth to be delivered during a period of six months and before the end of July 1942.

For some time past, we are experiencing a lot of difficulty in controlling our labour force who somehow or other continue to think that in spite of the Mysore Labour Act being in force, they can, by the mere fact of having formed themselves into an Association, cause dislocation of work on the slightest pretext. Even the routine disciplinary action taken by the Management in the ordinary course is interpreted as a challenge to the labour as a whole and the tendency of the labour is to resort to concerted action and stoppage of work.

In view of the war-order work undertaken by us, we

are

are approaching Government with a request that "Essential Services Maintenance Emergency Act 1942" may be made applicable to our Mills particularly and necessary notification thereof under Section 3 of the Act may be published in order to empower the Company to take proper action against persons disobeying lawful orders passed in the course of the Company's business. The person who may be authorised under Section 4(1) by Government may kindly be an officer who could be expected to be on the spot to deal with any situation as might arise. Our main idea in approaching Government for the application of these provisions is that the work should be carried on smoothly and any difference between the labour and the management may in the usual course be referred to the authority constituted in the Mysore Labour Act.

We remain,
Yours faithfully,
A N. Ishwaraiya
Secretary

GN

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *19*

Date of issue.....

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section W

File No. 261-42

Serial No. 3

No. W 2406 dt 11/4/42

To The Secretary S K Mills.

Sir, With reference to your letter dated 27th March-42 requesting that the Essential Services Maintenance Emergency Act 1942 may be made applicable to your Mills I am directed to invite your attention to the Industrial Disputes Settlement and Arbitration Rules 1941. issued under the Defence of India Act 1939 as applicable to Mysore. with notification No. RL 1060-Legis dated 20th Dec. 41 which prohibits lightning strikes etc. [illegible] The S.K. Mills is an Industrial Concern

Coming under those Rules. A

~~Draft Case of a factory~~ the D/Ms of

D/Ms have been instructed to take

necessary action under the Rules

in the case event of lightning strike

or lockout in any Factory known to

be engaged on War work.

It is considered that ~~the application~~ it is too early

Maintenance

to apply the Essential Services Emergency Act

to the S.K. Mills. I am to suggest

that the Chairman of the S.K Mills

may ~~kindly~~ get into touch with the D M

Mysore Island Power Supply Scheme under the rules.

for action under the rules.

Yours sh

for Hon

L. Chief Secy. Govt -

Copy to D.M. Bangalore

for

2406/W
W261 42-3.

11th April 1942.

The Secretary,
Sri Krishnarajendra Mills,
Mysore.

With reference to your letter dated the 27th March 1942 requesting that the Essential Services Maintenance Emergency Act, 1942, may be made applicable to your Mills, I am directed to invite your attention to the Industrial Disputes Settlement and Arbitration Rules, 1941, ~~xx~~ issued under the Defence of India Act, 1939 as applied to Mysore, with notification No.Rl.1560-Legis. dated the 20th December 1941, which prohibits lightning strikes etc., and to state that the District Magistrate, Mysore, has been informed that the Sri Krishnarajendra Mills is an Industrial Concern coming under those rules. I am to suggest that the Chairman of the Mills may get into touch with the District Magistrate, Mysore, should there be any necessity for action under the rules.

I have the honour to be,
Sir,
Your most obedient servant,
(Sd.) M.G. Mehkri.
~~xxxx~~ Chief Secretary to Government.

Memo No. 2407/W Dated the 11th April 1942.

Copy of the above is forwarded with compliments to the District Magistrate. Mysore District, for information.

(Sd) S.K.V

For Chief Secretary to Government.

W261-42-4 21 1647/W.

THE OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE,

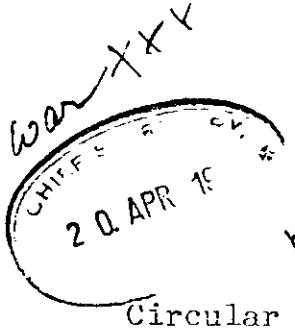
Dated Bangalore, the 18th April 1942.

No.F.78(12)-40/W.

A copy of the undermentioned paper is forwarded with compliments to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore, for information and such action as may be considered necessary.

By order, etc.,

for Secretary to the Resident.



Circular letter from the Government of India, Civil Defence Department, No.62/42-A.R.P.(C.D.), dated the 27th March 1942, with enclosure.

1cc.

22

SECRET

Civil Defence Department,
Government of India.

New Delhi, the 27th March 1942.

From

A. T. Ibbotson, Esquire. CIE., MBE., MC., I.C.S.,
Secretary to the Government of India.

To All Provincial Governments (except Bengal)
and Chief Commissioners.

(Civil Defence Department Circular No.135/42).

Subject:- Essential Services and their retention in an emergency.

Sir,

I am directed to say that difficulties in Rangoon were accentuated by a sudden decision on the part of the big banks there that it had become so extremely difficult to carry on with their depleted staffs that they must forthwith close and move elsewhere.

They (or some of them) were however compelled at least to retain pay offices in Rangoon. Everyday marketing for the people in Rangoon had already been reduced to a strictly cash basis, but even this would have been impossible had clients been unable to obtain cash from the banks out of their deposits.

It is not clear from our present information how far even the above last minute compulsion was applied or succeeded.

This occurrence, and the possibility of others occurring in large cities, giving rise to equally intolerable conditions, bring to urgent notice the question whether the "Essential Services Ordinance" should be used to prevent or palliate such conditions.

It is suggested that legal orders alone would not be sufficient, and that they must be combined with action to make the retention of essential staffs possible.

A note by Sir James Taylor is attached, and the lines of action suggested, are recommended for consideration viz:-

(1) The maintenance for services held to be essential of a reasonably practicable minimum standard of living including

(a) Organisation of food supply,
(b) Accommodation,
(c) Communication.

(2) Provision to enable their families to be kept in places of comparative safety.

(3) Discipline and practice to make (1) above a really working proposition for the emergency.

It is suggested that, if the Provincial Government agrees, steps be taken, whether through a small committee including commercial interests or otherwise, to arrive at a decision as to what services and staffs are really essential for retention at their work in an acute emergency.

Further that the Essential Services Ordinance be made to apply to these, and at the same time organization be arranged for them as suggested above.

These operations might be financed partly by the Provincial Government, and partly (by compulsion if necessary) by any private employers concerned.

Government expenditure will qualify for inclusion in the "slab" system of pooling expenditure on "Civil Defence".

The Government of India have under consideration the possibility of enrolling essential workers in some kind of Territorial Pioneer Force inorder to improve discipline, morale and esprit de corps.

I have the honour to be,

Sir,

Your most obedient servant.

for Secretary to the Government of India.

bid.

Copy of a note by Sir James Taylor.

Experience in Singapore and Rangoon shows that labour and clerical staff in the East (and probably elsewhere too for that matter) is governed by three main considerations in the case of danger. The first is that a reasonably practicable minimum standard of living should be maintained, and this at such times is obviously not a mere question of money. It means the organisation of food, accommodation and communication. Secondly, that proper provision should be made for their wives and families who generally live in their country and not with them, or who would in any case be removed by them to such places as danger seemed to be approaching. The Third, and most important, is that at such times the best corrective to unreasoning panic is discipline and previous organisation. If soldiers, labourers, or indeed anybody under authority, feel that they are being looked after and that the people above them know what they are about, the moral effect is tremendous.

2. As regards the first, it seems quite clear that arrangements should be made for quarters, however simple, to be available which can be properly looked after and policed for the minimum staff required for essential public purposes. This is obviously a task requiring government organisation, though to the extent to which their staff is regarded as fulfilling public purposes private employers should also be asked or compelled to come into it on a contributory basis. Owing to the possibility of interruption of means of communication, or their extensive requisitioning for military or other purposes, accessibility to places of work is important. In the case of essential clerical staff, residences nearby may have to be requisitioned. For labour, camps may also have to be constructed. The sites chosen for such camps should be as near the place they are employed as is consistent with their health and safety, and such public open places in Calcutta as the Botanical Gardens and the Maidan ought to be utilised for this purpose even at a temporary loss of public amenity.

3. Secondly, transport must be definitely organised under one authority so as to ensure adequate communications to transport such people to and from their work, and no private interest must be allowed to stand in the way. All buses, for instance, should be requisitioned and placed under the traffic authority, so that proper statistics can be obtained and scientific arrangements made as in London for staggering hours of work, and so on.

4. Thirdly, definite provision must be made for rations. I understand that the failure of the ordinary bania arrangements for providing food was one of the principal causes of dislocation in Rangoon. Even at present in Calcutta considerable inconvenience is being felt by servants and other lower paid classes owing to the banias closing their shops and bolting. A definite organisation must be provided by Government, possibly through the army Service Corps, for the supply of staple articles of diet to such labour as is classified as essential. Private employers of such essential labour ought to be made to come into the scheme on a contributory basis. Private organisation on such lines is almost certain to break down when the real strain comes.

5. As regards the second point provision for dependants, there is a Government scheme to which full publicity should be given. Arrangements should also be made to create labour bureaux so that the names of dependants can be accurately registered in advance. For clerical and the higher paid staff something more liberal is require, and it seems to me that a